

21



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/745,711 | 12/18/2000 | Alejandro Wiechers | 10001309-1 | 9476 |

7590 04/07/2005

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

LETT, THOMAS J

ART UNIT PAPER NUMBER

2626

DATE MAILED: 04/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/745,711

Applicant(s)

WIECHERS, ALEJANDRO

Examiner

Thomas J. Lett

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 October 2004.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-20 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 18 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


JEROME GRANT II
EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claim 1 is objected to because of the following informalities: a comma should be placed after the phrase "with the communications network". Appropriate correction is required.
3. Claim 5 is objected to because of the following informalities: a comma should be placed after the phrase "a global printer array". Appropriate correction is required.
4. Claims 5 and 11 are objected to because of the following informalities: a semicolon should be removed after the phrase "printer outlets". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1-20 are rejected under 35 U.S.C. 102(a) as being anticipated by Gindlesperger (WO 200033223 A1).

Art Unit: 2626

With respect to claim 1, Gindlesperger discloses a network addressable device (web server 4, not shown, see pg. 16, para. 3) in a communications network (see Fig. 1A) for printing a document (print goods, e.g., paper forms, booklets, etc., pg. 35, para 1) for a mobile network user (print buyer 6, pg. 28, para. 2), comprising:

(a) a global printer array (a plurality of print vendors 8, pg. 28, para 2) linked with the communications network (see Fig. 1A), the global printer array including a network of commercial printer outlets; and

(b) an assessor (web site 4) linked with the global printer array (a plurality of print vendors 8, pg. 28, para 2) and the network user (buyer 6), the assessor (web site 4) implementing a computer program code (standard graphical user interface (GUI), pg. 20, para 3) for selecting a localized printer from the global printer array (plurality of vendors 8, pg. 20, lines 19-24).

With respect to claim 2, Gindlesperger discloses a network addressable device according to claim 1 wherein the assessor (web site 4) receives network user (buyer 6) parameters (buyer job attributes (BATTR), pg. 20, lines 14-19) from the network user (buyer 6) through the communications network.

With respect to claim 3, Gindlesperger discloses a network addressable device (web server 4, not shown, see pg. 16, para 3) according to claim 1 wherein the assessor establishes a localized zone of printer candidates (a vendor selection pool of printer candidates, VPOOL, is created, pg. 22, lines 1-6) the localized printer selected from the localized zone.

Art Unit: 2626

With respect to claim 4, Gindlesperger discloses a network addressable device (web server 4, not shown, see pg. 16, para. 3) according to claim 1 wherein the network addressable device further includes a repository (system database 2, see Fig. 1A) for storing the information used for printing.

With respect to claim 5, Gindlesperger discloses in a computer system, computer program code (standard graphical user interface (GUI) prompts, pg. 20, para. 3) on computer readable media (appearing on the particular display of the web site 4, pg. 21, para. 1) for printing a document for a network user, the computer program code comprising:

Examiner notes that a graphical user interface (GUI) as defined by the "Microsoft Press Computer Dictionary" is an environment that represents program codes and other software menus for use in performing computer tasks. This GUI is used by both buyer(network user) and vendor(print service) via a website (see p. 20, para 3 and p.21, para 1).

(a) a first computer program code for receiving network user parameters (buyer job attributes (BATTR), pg. 20, lines 14-19) via a network addressable device (web server 4, not shown, see pg. 16, para. 3);

(b) a second computer program code (standard graphical user interface (GUI) prompts, pg. 20, para. 3) for linking the network addressable device (web server 4, see pg. 16, para. 3) with a global printer array (vendor selection pool of printer candidates, VPOOL, is created, pg. 22, lines 1-6);

Art Unit: 2626

c) a third computer program code (standard graphical user interface (GUI) prompts, pg. 20, para. 3) for selecting a localized printer from the global printer array (BIFBD, input into website 4, also defines criteria SC by which a print vendor will be selected from among the plurality of print vendors 8, pg. 21, para 2);

(d) a fourth computer program code (standard graphical user interface (GUI) prompts, pg. 20, para. 3) for determining the availability of the localized printer (the submission of bid data (RBID) indicates the availability of a print vendor to perform a custom print job, pg 22, para. 2) with respect to the network user parameters; and

(e) a fifth computer program code for spooling the localized printer (buyer 6 sends a VIFB (includes specification for job to be completed) to all vendors that can be stored in database 2 until printing after winning the bid, pg. 22, para 2).

With respect to claim 6, Gindlesperger discloses a computer program code according to claim 5 wherein the third computer program code includes:

(a) a computer program code for establishing a localized zone of printer candidates (BATTR can establish a geographical location of the vendors, pg. 21, para 2 and upon receipt of the APPROVAL from the buyer 6 an ORDER is issued at block 26 to the winning vendor, and printing is preformed, pg. 23, para. 1); and

(b) a computer program code for designating the printer candidate at a minimum distance from the localized zone to the network user as the localized printer (RFILE list can be presented to the buyer 6 in rank order. Bid price is given as an example of ranking, and geography (or location) can be used as a ranking attribute, pg. 22, para. 2).

With respect to claim 7, Gindlesperger discloses a computer program code (standard graphical user interface (GUI) prompts, pg. 20, para. 3) according to claim 5 wherein the fourth computer program code includes a computer program code for determining whether the localized printer satisfies printer parameters of the network user (a function of this example is to match a printing vendor to a print job based on requirements input by the print buyer, pg. 28, para 1).

With respect to claim 8, Gindlesperger discloses a computer program code according to claim 5 wherein the fourth computer program code further includes a computer program code for determining cost expectations of the network user (the lowest price bid is identified as a system default selection and a WINBID information is transmitted or otherwise provided to the buyer 6, pg. 23, para 1).

With respect to claim 9, Gindlesperger discloses a computer program code according to claim 5 wherein the fourth computer program code further includes a computer program code for determining time expectations of the network user (the system can generate a screen alert as to the status of a print vendor performing an order at specific time points, pg. 25, para 1).

With respect to claim 10, Gindlesperger discloses a computer program code according to claim 5 wherein the fifth computer program code includes a computer program code for displaying the status of the localized printer (the system can generate a screen alert as to the status of a print vendor performing an order, pg. 25, para 1).

With respect to claim 11, Gindlesperger discloses a communications network environment, a method for printing a document for a network user, comprising the steps of:

(a) receiving network user parameters (buyer job attributes (BATTR), pg. 20, lines 14-19) via a network addressable device (web server 4, not shown, see pg. 16, para. 3);

(b) selecting a localized printer (a vendor selection pool of printer candidates; VPOOL, is created, pg. 22, lines 1-6) from a global printer array (plurality of vendors 8, pg. 20, lines 19-24) of the network addressable device with respect to the network user parameters;

(c) determining availability of the selected localized printer (the submission of bid data (RBID) indicates the availability of a print vendor to perform a custom print job, pg 22, para. 2); and

(d) engaging the localized printer (Upon receipt of the APPROVAL from the buyer 6 an ORDER is issued at block 26 to the winning vendor, and printing is preformed, pg. 23, para. 1).

With respect to claim 12, Gindlesperger discloses a method according to claim 11 wherein the step of receiving network user parameters includes the step of receiving network user parameters (a buyer 6 inputs, by way of the web site 4, an invitation-for-bid data BIFBD, defining a customized good or service in terms of standardized buyer job attributes BATTR, pg 20, para. 3) from an Internet communications network (Internet 614).

With respect to claim 13, Gindlesperger discloses a method according to claim 12 wherein the step of receiving network user parameters includes the step of receiving network user parameters from a browser (the print buyer 6 begins its interaction with the system by logging onto the system web site 4 using a Netscape or equivalent browser and entering attributes (BATTR) for a print job, pg. 29, para. 2).

With respect to claim 14, Gindlesperger discloses a method according to claim 11 wherein the step of receiving network user parameters includes the step of receiving network user parameters from an intranet communications network (a plurality of entities having projects to be bid upon 613 are each individually connected to a common communication network. An example such as the Internet 614, is given, yet an intranet can be used, pg. 17, para 2).

With respect to claim 15, Gindlesperger discloses a method according to claim 11 wherein the step of selecting a localized printer includes the steps of:

(a) establishing a localized zone of printer candidates (a vendor selection pool of printer candidates, VPOOL, is created, pg. 22, lines 1-6); and

(b) designating a printer candidate (BATTR can establish a geographical location of the vendors, pg. 21, para 2 and a bidder can be selected on this basis) with a minimum distance from the localized zone to the network user as the localized printer.

With respect to claim 16, Gindlesperger discloses a method according to claim 11 wherein the step of selecting a localized printer includes the step of determining whether the localized printer satisfies printer parameters of the network user (a function

Art Unit: 2626

of this example is to match a printing vendor to a print job based on requirements input by the print buyer, pg. 28, para 1).

With respect to claim 17, Gindlesperger discloses a method according to claim 16 further comprising the step of displaying status of the localized printer (the system can generate a screen alert as to the status of a print vendor performing an order, pg. 25, para 1).

With respect to claim 18, Gindlesperger discloses a method according to claim 11 wherein the step of selecting a localized printer includes the step of determining time expectations associated with the localized printer (the system can generate a screen alert as to the status of a print vendor performing an order at specific time points, pg. 25, para 1)..

With respect to claim 19, Gindlesperger discloses a method according to claim 11 wherein the step of selecting a localized printer includes the step of determining costs associated with the localized printer (the lowest price bid is identified as a system default selection and a WINBID information is transmitted or otherwise provided to the buyer 6, pg. 23, para 1).

With respect to claim 20, Gindlesperger discloses a method according to claim 11 wherein step of selecting a localized printer includes the step of asking whether the network user wishes to wait if the localized printer is unavailable.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is 571-272-7464. The examiner can normally be reached on 7-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2626

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJL

TJL

JEROME GRANT II
PRIMARY EXAMINER